

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
J & J SPORTS PRODUCTIONS, INC., as
Broadcast Licensee of the December 3, 2005
TAYLOR/HOPKINS II Program,

Plaintiff,

v.

ORDER

06-CV-1387 (NGG) (VVP)

JEAN ERNEST and REGINAL MYLORD,
Individually and d/b/a BARBELLENIUM
UNISEX a/k/a BARBELLENIUM a/k/a
BARBELLENIUM a/k/a BARELLENIUM,
and BARBELLENIUM UNISEX a/k/a
BARBELLENIUM a/k/a BARBELLENNIUM
a/k/a BARELLENIUM,

Defendants.

-----X
GARAUFIS, United States District Judge.

On September 13, 2007, Magistrate Judge Victor V. Pohorelsky issued a Report and Recommendation (R&R) recommending: (1) default judgment be entered against the Defendant; (2) Plaintiff be awarded \$1,000 in statutory damages pursuant to 47 U.S.C. § 605(e)(3)(C); and (3) \$702.25 in attorneys' fees and \$550 in filing and service of process fees. No party has filed objections to the R&R.

In reviewing an R&R, this court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1)(C). In order to accept a Magistrate Judge's R&R where no timely objection has been made, the "court need only satisfy itself that there is no clear error on the face of the record." Urena v. New York, 160 F. Supp.2d 606, 609-10 (S.D.N.Y. 2001) (quoting Nelson v. Smith, 618 F. Supp. 1186, 1189

(S.D.N.Y. 1985)); see also Pizarro v. Bartlett, 776 F. Supp. 815, 817 (S.D.N.Y. 1991) (court may accept report if it is "not facially erroneous").

The R&R is comprehensive and well-reasoned. The court finds no clear error in the R&R and therefore adopts the R&R for the reasons stated therein. Plaintiff's motion for entry of default judgment, damages, attorney fees and litigation expenses is hereby GRANTED. The clerk of the court is directed to close this case.

SO ORDERED.

Dated: September 28, 2007
Brooklyn, N.Y.

/signed/

Nicholas G. Garaufis
United States District Judge